

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

**T JASON NOYE,
individually and on behalf
of all others similarly situated,**

Plaintiff,

v.

**JOHNSON & JOHNSON and
KELLY SERVICES, INC.,**

Defendants.

Case No. 1:15-cv-02382-YK

(Judge Yvette Kane)

CLASS ACTION

**NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF
PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANT
JOHNSON & JOHNSON'S RENEWED MOTION TO COMPEL
ARBITRATION AND TO STAY THE PENDING ACTION**

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Date: August 1, 2017

Attorneys for Plaintiff and the Class

Plaintiff T Jason Noye, by counsel, respectfully submits this Notice of Supplemental Authority in support of Plaintiff's Response in Opposition to Defendant Johnson & Johnson's ("J&J's") Renewed Motion to Compel Arbitration and to Dismiss, or, in the Alternative, to Stay the Pending Action (Dkt. No. 74).

On July 17, 2017, the Seventh Circuit held in *Scheurer v. Fromm Family Foods LLC*, __F.3d__, No. 16-3327, 2017 WL 3015610, at *1 (7th Cir. July 17, 2017) (Exhibit A) that an employer could not rely on a staffing agency's arbitration agreement to compel its employee to arbitrate, rejecting the employer's equitable estoppel argument.

Dated: August 1, 2017

s/ Marielle Macher
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Attorneys for Plaintiff and the Class

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2017, I electronically filed the foregoing Notice of Supplemental Authority in Support of Plaintiff's Response in Opposition to Defendant Johnson & Johnson's Renewed Motion to Compel Arbitration and to Dismiss, or, in the Alternative, to Stay the Pending Action with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel or parties of record electronically by CM/ECF.

s/ Marielle Macher
Marielle Macher